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MAR 23 1984

Ms. E. Elaine Wiggins
Executive Secretary
Alabama Board of Cosmetology
100 Commerce Street, Suite 801
Montgomery, Alabama 36130

Cosmetology Board - Licenses -
Continuing Education Requirements

Board may require continuing education
and adopt policies and rules for
approval of same.

Schools of cosmetology must comply with
law and Board rules regardless of level
of training.

Dear Ms. Wiggins:

We are in receipt of your recent request for an opinion
from our office on the following questions:

- (1) Whether the Board has authority to
determine policy as to which courses will
be approved for continuing education and
whether such policy would need to be
incorporated into the rules of the Board.
- (2) What authority would the Board have over
an "advanced school" or advanced training
center in the area of cosmetology?

In response to question one regarding continuing
education, the Board has the authority to make rules and

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regulations under Code of Alabama, 1975, § 34-7-40(b). Your administrative rule 250-x-6-15 requiring continuing education of instructors is appropriate. The other section which addresses continuing education is 34-7-1(17) which makes continuing education a requirement for a master cosmetologist license. It is our opinion that the Board can adopt whatever policy it considers appropriate for the approval of seminars. It would seem to be wise for some guidelines regarding this policy to be incorporated in the administrative rules to give direction to those affected by the policy.

In regard to question two, Code of Alabama, 1975, § 34-7-1(10) defines a school of cosmetology as "any place or part thereof wherein cosmetology or any of its practices are taught." Section 34-7-5 further states that "any beauty shop or school of cosmetology, esthetician salon or school for estheticians shall, after May 23, 1977, fully comply with all provisions of this chapter applicable thereto, and with all the rules and regulations promulgated by the board as hereinafter provided."

It is our opinion that these sections would require schools to comply regardless of the level of training offered by the school. Any rules and regulations of the Board concerning schools or advanced training should likewise be complied with.

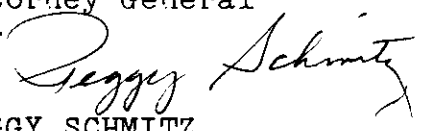
To the extent that this opinion conflicts with any prior opinion issued by this office, those conflicting opinions are hereby overruled.

We trust that this adequately addresses your questions. If we may be of further service, please contact us.

Sincerely,

CHARLES A. GRADDICK
Attorney General

By-


PEGGY SCHMITZ
Assistant Attorney General

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